

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

March 6, 2003 LB 142, 394

SENATOR MOSSEY: Mr. President, I move the advancement of LB 394 to E & R for engrossing.

SENATOR CUDABACK: The question before the body is to advance LB 394 to E & R for engrossing. All in favor of the motion say aye. Opposed nay. It is advanced. Mr. Clerk.

CLERK: Mr. President, Select File, LB 142. I have no amendments to the bill, Senator.

SENATOR CUDABACK: Senator Mossey for a motion.

SENATOR MOSSEY: Mr. President, I move the advancement of LB 142 to E & R for engrossing.

SENATOR CUDABACK: You've heard the motion to advance to E & R for engrossing LB 142. All in favor of the motion say aye. Senator Beutler, did you have your light on to speak?

SENATOR BEUTLER: I believe so.

SENATOR CUDABACK: You may do so.

SENATOR BEUTLER: Senator Schrock, just one clarification of intent. In the last sentence of the bill, it indicates that property...when the department goes in and remediates property under the new authority given in this particular section, that they have the obligation to restore the property as nearly as possible to its original condition at the conclusion of the investigation or remedial action or whatever. And I just wanted to be sure that it was your intent that, under another section of the statute that allows DEQ to recover their costs for the various things that they do when they're involved in remedial action, that the cost of restoring the land to its original condition under this new language is intended to be one of the costs that they're allowed to recover under the language of 13-2042, subsection (5). Would that be correct?

SENATOR SCHROCK: (Inaudible) question the answer is yes. They should be able, and it would be an intent of the bill that they